

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEANNA JOHNSON

Plaintiff,
vs.

Case No. 2:19-cv-10167
Hon. Gershwin A. Drain
Mag. Judge Elizabeth A. Stafford

FORD MOTOR COMPANY,
a Delaware corporation;

Defendant.

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**PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION
FOR RECONSIDERATION OF ECF NO. 154 RE: PUNCHING
ALLEGATIONS**

Plaintiff Responds to Ford's filing (ECF 165) as set forth in the
accompanying Brief.

Respectfully submitted,

STERLING ATTORNEYS AT LAW, P.C.

By: /s/Carol A. Laughbaum

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Dated: September 7, 2023

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**BRIEF IN SUPPORT OF
PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION
FOR RECONSIDERATION OF ECF NO. 154 RE: PUNCHING
ALLEGATIONS**

STATEMENT OF ISSUES PRESENTED

- I. Whether reconsideration of the Court's ruling regarding evidence of Rowans violent workplace behavior (limited to the issue of "notice") is unwarranted and should be denied.

CONTROLLING OR MOST APPROPRIATE AUTHORITY

FRE 401-403

Defendant's Ford's reconsideration motion (ECF 165) makes no challenge to the Court's order denying its motion to exclude evidence of Rowan's violent workplace ("punching") behavior to the extent it is probative of Plaintiff's work environment.

As Plaintiff understands it, Ford takes issue with the Court's referencing the *Wyatt* case in its (second) Order regarding pre-trial motions (ECF 154). As a practical matter, the citation to *Wyatt* has no bearing on anything a jury will hear at trial. At the same time, there is nothing improper or "mistaken" about the Court's citation to a case confirming that evidence of a harasser's physical threats in the workplace could well instill fear in a plaintiff and bear on the timing of her reports of the harassment. Ford's concern that the Court's citation to *Wyatt* could somehow evolve into a jury instruction, etc. adverse to Ford is without basis. Ford's motion should be denied.

PROOF OF SERVICE

I certify that on September 7, 2023, I filed the foregoing paper with the Clerk of the Court using the ECF system, which will electronically send notification to all counsel of record.

/s/Carol A. Laughbaum
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